

# WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

150 E. 42nd Street, New York, New York 10017-5639

Tel: (212) 490-3000 Fax: (212) 490-3038

Albany • Baltimore • Boston • Chicago • Dallas • Garden City • Houston • Las Vegas • London • Los Angeles • McLean  
Miami • Newark • New York • Philadelphia • San Diego • San Francisco • Stamford • Washington, DC • White Plains  
Affiliates: Berlin • Cologne • Frankfurt • Munich • Paris

www.wemed.com

U.S. DISTRICT COURT  
S.D.N.Y.

★ SEPT 14 2005 ★

August 18, 2005

BROOKLYN OFFICE

## VIA ECF & EXPRESS MAIL

Hon. John Gleeson, U.S.D.J.  
United States District Court  
for the Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, N.Y. 11201

Re: Cain *et al.* v. Bethea *et al.*  
Case No.: 04 CV 3946 (JG) (CLP)

s/John Gleeson

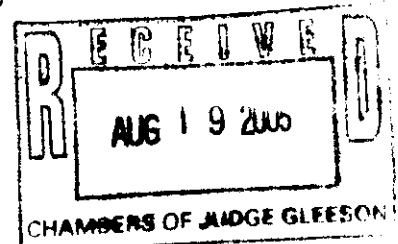
Dear Judge Gleeson:

I am writing to request permission for American International Mortgage Bankers, Inc. ("American International") to join in the Defendants' joint motion to dismiss that will be filed in accordance with Magistrate Pollack's scheduling order, dated August 11, 2005. American International filed its Notice of Appearance, Answer to the Amended Complaint, and Answer to Defendant Morequity's Cross-claims on August 4, 2005. American International did not know that the opportunity to join with co-defendants in a motion to dismiss Plaintiffs' claims was still available when it filed its Answer. At the conference before Magistrate Pollack on August 11, 2005, however, American International learned that the opportunity to join in the joint motion to dismiss is still available. As such, American International now seeks the Court's permission to join in co-defendants' joint motion to dismiss.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

*Edward J. Boyle*  
Edward J. Boyle (EB-4515)



cc: Robert Litwick, Esq. (via fax)  
Helmut Borchet, Esq. (via fax)  
Mark Kruger, Esq. (via fax)  
Ida D'Angelo, Esq. (via fax)  
Louise M. Brown (via fax)  
Paul B. Rosen, Esq. (via fax)  
Mark D. Herman, Esq. (via fax)  
Saul A. Berkman, Esq. (via fax)  
Sarah G. Lopez, Esq. (via-email)